

REMARKS

I. Status of the Claims

Claims 1, 3-6, 11-16, and 31-40 are currently pending. Of those claims, claims 1, 3-9, 11, 14, 15, and 31-40 are rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,339,392 to Risberg in view of U.S. Patent No. 7,082,398 to Apple. The remaining claims, claims 12, 13, and 16 are rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,339,392 to Risberg in view of Apple, and in further view of Official Notice. Applicant respectfully traverses these rejections based on at least the remarks provided herein.

II. Rejection under 35 U.S.C. § 103

As a preliminary matter, Applicant would like to thank the Examiner for the thorough examination.

Looking first to claim 1, the Office makes the rejection of Applicant's independent claim 1 on pages 3-4 of the Office Action by citing to various sections in both Risberg and Apple. Yet, neither reference discloses, among other things, the Applicant's claimed recitation of two different states, where the first state is one arrangement of windows in the workspace and the second state is *a different arrangement of the same windows in the workspace than the first state*. For instance, Applicant's claim 1, according to the first feature, recites, "...each of the plurality of windows is displayed according to a first state in the workspace, the first state comprising a particular arrangement of the plurality of windows in the workspace," and according to the fourth feature of claim 1, recites, "...the second state comprising a different arrangement of the plurality of windows in the workspace than the first state."

On page 4 of the Office Action, the Office cites to a few sections in Risberg as disclosing this feature of Applicant's claim 1, which includes the recitation of the "second state," such as defined in claim 1. Particularly, the Office cites to Risberg, col. 10, lines 9-11, which refers to a "script" that defines a string of commands that are executed in sequence. The Office also cites to Risberg, col. 10, lines 19-21, which states that when an update comes in which triggers an alert, the script takes the "quote object" into the "alert state." Applicant respectfully submits that this rather general and vague disclosure, by itself, is not enough to support a *prima facie* case of

obviousness. As such, Applicant reviewed Risberg further to understand what is meant by an alert script, and found that Risberg, col. 23, lines 5-33 provides some examples; There Risberg states:

The things that can be scripted to happen upon occurrence of an alarm condition are limited only by the imagination of the user. Minimally, the script may specify an audible beep and/or change in color of an Active Object. More exotic scripts may issue commands on the network to start another process running to dial a beeper, issue a sell order, issue a buy order, etc. Other scripts may publish some or all the data on one or more sheets of an active document on the network, etc.

This first sentence (i.e., “...limited only by the imagination of the user”) makes a vague, blanket statement that cannot properly support a rejection of this feature under the patent laws. The rest of that section in Risberg also does not disclose activating the workspace according to a second state, which again refers to a different arrangement of the same windows. In fact, Applicant respectfully submits that nowhere in Risberg is there disclosure of this particular feature.

On page 5 of the Office Action, the Office cites to Apple as disclosing a system that “changes the display” associated with a trigger according to some “pre-programmed format.” However, the general disclosure of “changing the display” according to a “pre-programmed format” is not enough to support the rejection either. Indeed, it is Applicant’s understanding of Apple that “changing the display” according to a “pre-programmed format” refers to changing graphic identifiers (e.g., corporate logos), recent trade information, and value information on the board itself. E.g., see Apple’s abstract. In other words, Apple discloses a system that updates the board with new and different information. This is clearly not the same as a first state and a second state, where the second state refers to *a different arrangement of the same windows than the first state*. Indeed, upon further review of Apple, there is no disclosure of this feature either.

Applicant’s claim 1 calls for specific recitation of first and second states, which are clearly defined in the claim, and the other features of this claim are interrelated to these states. However, as shown above, the cited references do not disclose at least this aspect of claim 1, much less the other features of the claim. Accordingly, favorable reconsideration and withdrawal of the rejection of independent claim 1 under 35 USC 103 are respectfully requested.

In the event that the Office maintains this obviousness rejection, Applicant respectfully requests, in accordance with the principles of compact prosecution, that the Office articulate, on the record and with specificity to support a *prima facie* case of obviousness, where in the Risberg and Apple references the subject feature of independent claim 1 of this defined first and second state is alleged to be taught, in addition to the other features of the claim.

Independent claim 40 recites similar limitations as independent claim 1, and is patentable for the same reasons that claim 1 is patentable. The dependent claims are patentable for their own reasons and Applicant reserves the right to argue each dependent claim separately in the future, if the need arises. However, each dependent claim is allowable for the same reasons that their independent base claims are allowable, and therefore Applicant submits that each dependent claim is allowable for at least the reasons stated herein.

Applicant would, however, like to address the rejections with respect to dependent claims 12, 13, and 16, which ultimately depend from independent claim 1. First, as stated above, the cited art fails to disclose the specific features of detecting a trigger that activates the workspace according to a second state, wherein the second state refers to a different arrangement of the same windows in the workspace than the first state. With respect to the features of claim 12 (which depends from claims 11 and 1), claim 13 (which depends from 11 and 1), and claim 16 (which depends from 1) which call for specific kinds of triggers, or data from which is trigger is based, to activate the workspace, the cited art also fails to teach these kinds of triggers for use in activating the workspace according to Applicant's specifically defined "second state." Therefore, Applicant respectfully traverses the obviousness rejection based on the cited art and Official Notice.

III. Conclusion

Accordingly, Applicant respectfully submits that each of these claims is in condition for allowance, and requests favorable reconsideration. If Examiner believes that further dialog would expedite consideration of the application, Examiner is invited to contact Mark Triplett at 312-476-1151, or the undersigned attorney or agent.

Respectfully submitted,

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